



*the mind, body and spirit
of the spa industry*

International
SPA
Association®

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August 13, 2003

Ms. Marlene S. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RECEIVED & INSPECTED

AUG 13 2003

FCC - MAILROOM

Dear Ms. Dortch:

The International SPA Association is an organization of over 2,000 individuals focused on the promotion and development of the spa industry. This correspondence is in regards to the final rule issued July 25, 2003 (CG Docket No. 02-278) pertaining to unsolicited facsimiles that will be implemented on August 25, 2003.

These rules, though well intentioned, will cause incredible harm to the International SPA Association and membership associations across the country. As an association focused on the spa industry, the International SPA Association strongly opposes any new rules that would create restrictions on spa companies' ability to conduct business.

The members of the International SPA Association rely upon the professional staff for news and information on the spa industry. This news and information is vital to the well-being of the thousands of small businesses that belong to ISPA. During this time of rapidly changing commercial conditions, association-to-member correspondence is of utmost importance. Erecting barriers to this communication is simply the wrong thing to do.

Obtaining prior written consent for fax communication with our own members is ludicrous. Simple logic dictates that membership in a trade association necessitates communication regarding meetings, conventions, governmental issues of immediate importance, and marketing opportunities. Indeed, our members join to obtain such information.

In addition, it is rather impractical to believe that businesses across the country can adjust their basic communication structure in a 30-day period. The FCC has done a poor job of communicating exactly what type of communications require prior authorization and of detailing what steps a business must take to limit exposure to lawsuits that will arise out of "unauthorized communication."

The International SPA Association asks the Federal Communications Commission to withdraw these ill-conceived and wrong-headed rules before they inflict irrevocable damage on small spa-related businesses across the country.

Sincerely,

Lynne Walker McNeese
Executive Director
International SPA Association

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August 14, 2003

Dear Ms. Marlene S. Dortch:

RE: CG Docket No. 02-278

As member of the NATIONAL ASSOCIATION OF REALTORS® (NAR), I am writing to convey my wholehearted support for NAR's Request for Emergency Stay of Facsimile Advertisement Rules in the above referenced docket. The FCC's unexpected decision to remove the established business relationship exception from the unsolicited fax advertisements rules severely interferes with my day-to-day business as a real estate professional. Furthermore, the rules hinder the types of communication that my national, state and local REALTOR® associations routinely send via facsimile, including information on conventions or continuing education classes, which is a benefit that I expect as a dues paying member.

NAR in its Request for Emergency Stay of Facsimile Advertisement Rules has outlined the detrimental impact that these rules will have on its over 900,000 members and on the operations of over 3.5 million professionals in the real estate industry. I echo NAR's position and emphasize that it will be extremely difficult to obtain the required written consent to send faxes to my customers, vendors and real estate colleagues in the timeframe set by the FCC. It will also be difficult for my local board, state association, and national association to seek and obtain written consent from their respective membership in less than thirty days, in order to prevent an interruption in their ability to fax important information about upcoming conferences, promotions and other events. As a REALTOR® member, I rely on this timely and effective means of communication. It is unreasonable to think that an association can seek and obtain consent from almost 1 million members by August 25, 2003.

Today, there are over 2 million U.S. homes in the sales pipeline. Communicating via facsimiles is instrumental to ensuring a timely and successful transaction. An effective date of August 25, 2003, can potentially delay the majority of these transactions. To secure the appropriate written consent will significantly impact homebuyers and home sellers' ability to move promptly in highly competitive housing markets. It will take time to adapt to this new requirement; businesses will have to amend current practices to gain this new consent from consumers and vendors.

It is in this regard that I urge the FCC to stay the effective date of the unanticipated and unprecedented fax rules for one year so that the required written consent form can be incorporated into the annual dues billing cycle. This is the most effective method for providing express written consent to NAR and my state and local REALTOR® associations. The stay is also essential in order to institute the required compliance procedures for fax communications with my clients and other businesses to ensure minimal disruptions in real estate transactions.

Thank you for your attention and consideration in this matter.

Sincerely,

Gil Gildore
2315 Cashmere Way
Henderson, NV 89074-5086

